UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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OLIFF & BERRIDGE, PLC	PHAM, THIERRY L
P.O. BOX 19928	

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-51_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-51_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-2, 5-6, 10, 12-13, 18-19, 22-23, 27, 29-30, 35-36, 39-40, 44, 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower et al (U.S. Pat. 5467434).

Regarding claim 18, Hower discloses a printer comprising a processor and a plurality of modules to control the processor, wherein the modules include:

(1) a module to initiate (initiate by using a keyboard, col. 1, line 24 to program a print job, col. 4, lines 4-5) a save conflict mode (finishing option conflict rules, Fig. 13, col. 7, lines 55-67); and

(2) one of a module to store (col. 9, line 46) user specified print job attribute (quantity, finishing, col. 4, lines 4-8) in a conflict list (col. 6, lines 65-67 and col. 7, lines 1-3) while in the save conflict mode and storing user specified conflict attributes based on the print job attributes while in the save conflict mode, the conflict attributes including at least one of a policy, a capability and a constraint (finishing capability, col. 7, lines 55-67).

Regarding claim 19, Hower further discloses a printer, wherein the module to store print job attributes includes logic at least one of an enlargement/reduction (col.4, lines 5-8) parameter, an orientation, a simplex/duplex parameter, a sort parameter, a binding parameter, and a fed medium select parameter.

Regarding claims 1-2: Claims 1-2 are the method claims corresponding to the module claims 18-19 (respectively) above as being anticipated by Hower et al. The above cited-passages also teach claims 1-2.

Regarding claims 35-36: Claims 35-36 are the computer readable media claims corresponding to the module claims 18-19 (respectively) above as being anticipated by Hower et al. The above cited-passages also teach claims 35-36. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claim 22, Hower further discloses a printer, further comprising:

(1) a module to receive from a user at least one job attribute (finishing options, col. 7, lines 55-67) that causes a conflict; and

(2) a module to check the at least one received job attribute against the stored print job attributes (Fig. 8, col. 4, lines 52-55).

Regarding claim 23, Hower further discloses a printer, further comprising:

(1) a module to determine (determine if the media type selected by the user is in the first printer profile combinations, col. 6, lines 20-47) whether a conflict condition exists (set of rules which describe the finishing, formatting, and output capabilities of the associated printer, col. 5, lines 13-20); and

(2) a module to display (displaying via an User Interface and monitor, Fig. 1, Abstract and col. 1, line 23) a conflict message (fault message, col. 9, line 64) when the conflict condition is determined to exist.

Regarding claims 5-6: Claims 5-6 are the method claims corresponding to the module claims 22-23 (respectively) above as being anticipated by Hower et al. The above cited-passages also teach claims 5-6.

Regarding claims 39-40: Claims 39-40 are the computer readable media claims corresponding to the module claims 22-23 (respectively) above as being anticipated by Hower et al. The above cited-passages also teach claims 39-40. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claim 27, Hower further discloses a printer, wherein the module to store conflict attributes includes logic to formulate (Fig. 9, col. 3, lines 8-9) the conflict attributes based on at least one of an enlargement/reduction parameter, an orientation, a simplex/duplex parameter, a sort parameter, a binding parameter, and a fed medium select parameter (Fig. 4).

Regarding claim 10: Claim 10 is a method claim corresponding to a module claim 27 above as being anticipated by Hower et al. The above cited-passages also teach claim 10.

Regarding claim 44: Claim 44 is a computer readable media claim corresponding to the module claim 27 above as being anticipated by Hower et al. The above cited-passages also teach claim 44. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claim 29, Hower further discloses a method to program a printer further comprising steps of:

(1) receiving from a user at least one job attribute that causes a conflict (finishing options, col. 7, lines 55-67); and

(2) checking for an itinerary (media property, finishing option, col. 10, lines 7-11) to process a sheet according to the at least one received job attribute (media type, col. 10, lines 7-11).

Regarding claim 30, Hower further discloses a printer further comprising:

(1) a module to determine whether an itinerary is unavailable due to a conflict condition (the present invention relates generally to printing systems, and more particularly to a technique for determining whether a combination of print job selections is available at a given printer having a predetermined set of printer properties, col. 1, lines 7-10); and

(2) a module to display a conflict message (a fault message is displayed at said programming means when the combination of print job selections does not correspond with the subset of the set of the printer properties available at the one of the plurality of printers associated with the selected one of the printer profiles, col. 9, lines 64-67 and col. 10, lines 1-3) when the itinerary is unavailable due to a conflict condition.

Regarding claims 12-13: Claims 12-13 are the method claims corresponding to the module claims 29-30 above as being anticipated by Hower et al. The above cited-passages also teach claims 12-13.

Regarding claims 46-47: Claims 46-47 are the computer readable media claims corresponding to the module claims 29-30 above as being anticipated by Hower et al. The above cited-passages also teach claims 46-47. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 3-4, 8-9, 15-16, 20-21, 25-26, 37-38, 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower as applied to claim 1 above, and further in view of Yokoyama (U.S. Pat. 6166826).

Regarding claim 20, Hower discloses a printer comprising a processor and a plurality of modules to control the processor, wherein the module to initiate a save conflict mode includes:

(1) logic to receive from a user at least one print job attribute (finishing options, col. 7, lines 55-67) that causes a conflict; and

However, Hower's module of a printer does not include a module to recognize a user initiated save conflict mode command.

Yokoyama, in the same field of endeavor for setting printer's attribute (Fig. 3, col. 9, lines 7-15), teaches a module to recognize a user initiated save (user wants to store print data, col. 9, lines 64-67 and col. 10, lines 1-5) conflict mode. Since Yokoyama's invention teaches a

step of storing print data along with a password to prevent unauthorized access to confidential materials; therefore, his invention also capable of verifying a user who wants to edit and save the printing settings (col. 12, lines 22-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hower's method of programming a printer by the teachings of Yokoyama because of the following reasons: (1) erroneous printing can be prevented for improving the printing efficiency (Yokoyama, col. 12, lines 59-62); (2) response time of the printer can be shortened and communication path traffic can be decreased (Yokoyama, col. 12, lines 65-67); (3) confidential materials can be protected against unauthorized users (Yokoyama, col. 14, lines 21-29). Therefore, it would have been obvious to combine Yokoyama with Hower to obtain the invention as specified in claim 20.

Regarding claim 21, Yokoyama further discloses a module to program a printer, wherein the module of initiating a save conflict mode further includes verifying that the user is an authorized user (password, col. 12, lines 27-32).

Regarding claims 3-4: Claims 3-4 are the method claims corresponding to the module claims 20-21 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 3-4.

Regarding claims 37-38: Claims 37-38 are the computer readable media claims corresponding to the module claims 20-21 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 37-38. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claims 25-26, the limitations recited in claims 25-26 are included in claims 20-21 (respectively); therefore, claims 25-26 are rejected for the same basis/rationale as described in claims 20-21 above.

Regarding claims 8-9: Claims 8-9 are the method claims corresponding to the module claims 25-26 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 8-9.

Regarding claims 42-43: Claims 42-43 are the computer readable media claims corresponding to the module claims 25-26 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 42-43. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claims 12-13: Claims 12-13 are the method claims corresponding to the module claims 29-30 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 12-13.

Regarding claims 46-47: Claims 46-47 are the computer readable media claims corresponding to the module claims 29-30 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 46-47. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claims 32-33, the limitations recited in claims 32-33 are included in claims 20-21 (respectively); therefore, claims 32-33 are rejected for the same basis/rationale as described in claims 20-21 above.

Regarding claims 15-16: Claims 15-16 are the method claims corresponding to the module claims 32-33 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 15-16.

Regarding claims 49-50: Claims 49-50 are the computer readable media claims corresponding to the module claims 32-33 above as per teachings by Hower and Yokoyama. The above cited-passages also teach claims 49-50. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

5.   Claims 7, 11, 14, 17, 24, 28, 31, 34, 41, 45, 48, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower et al (U.S. Pat. 5467434) as applied to claim 1 above, and to Barrett (U.S. Pat. 5260805), and further in view of Neuhard et al (U.S. Pat. 6335795).

Regarding claims 24 & 31, Hower discloses a printer, but does not include the module comprising of: (1) a module to initiate a delete conflict mode; and (2) a module to delete the stored print job attributes from the conflict list.

Barrett, in the same field of endeavor for resolving print attributes conflict, discloses a method to program a printer comprising the steps of: (1) a module to initiate a delete conflict mode (a conflict is identified by means of message displayed on touch-screen informing the operator that a conflict exists together with a suggested procedure for removing the conflict, col. 7, lines 34-47).

The combinations of Hower and Barrett do not teach a printer include a module for deleting the stored print job attributes from the conflict list.

Neuhard, in the same field of endeavor for resolving print attributes conflict, teaches a module to delete the stored print job attributes (col.9, lines 60-65) from the conflict list.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hower's method for programming the printer by the teachings of Neuhard and Barrett because of a following reason: (1) to minimize time spent query for print options available in the network printing system, Neuhard, col. 3, lines 6-8; thereby, reduce operating costs. Therefore, it would have been obvious to combine Neuhard and Barrett with Hower to obtain the invention as specified in claims 24 and 31.

Regarding claims 7 & 14: Claims 7 & 14 are the method claims corresponding to the module claims 24 & 31 (respectively) above as per teachings by Hower, Barrett, and Neuhard. The above cited-passages also teach claims 7 & 14.

Regarding claims 41 & 48: Claims 41 & 48 are the computer readable media claims corresponding to the module claims 24 & 31 (respectively) above as per teachings by Hower Barrett, and Neuhard. The above cited-passages also teach claims 41 & 48. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Regarding claims 28 & 34, Neuhard further discloses a module to program a printer, wherein the module include reinitializing scheduler (the spooler/scheduler 20 of Fig. 1 receives the print jobs from the client computers and generates printer files that are transmitted to the printer, col. 4, lines 29-37) after storing/deleting the conflict attributes.

Regarding claims 11 & 17: Claims 11 & 17 are the method claims corresponding to the module claims 28 & 34 above as per teachings by Hower, Barrett, and Neuhard. The above cited-passages also teach claims 11 & 17.

Regarding claims 45 & 51: Claims 45 & 51 are the computer readable media claims corresponding to the module claims 28 & 34 above as per teachings by Hower, Barret, and Neuhard. The above cited-passages also teach claims 45 & 51. Computer readable media is disclosed by Hower (Document Directory, Fig. 2).

Response to Arguments

Applicant's arguments filed 1/16/04 have been fully considered but they are not persuasive.

Regarding claim 1, applicants argued Hower do not teach "saving a user defined by one of storing user specified print job attributes in a conflict list while in a save conflict mode and storing user specified conflict attributes based on the print job attributes while in the save conflict mode, the conflict attributes including at least one of a policy, a capability and a constraint".

In Response: Hower teaches saving a user defined by one of storing user specified print job attributes (printer profile, col. 7,lines 55-67) in a conflict list (fig. 2) while in a save conflict mode and storing user specified conflict attributes based on the print job attributes while in the

save conflict mode, the conflict attributes including at least one of a policy, a capability and a constraint (i.e. finishing conflict rules, col. 7, lines 55-67). Hower teaches an apparatus/method for programming a printer profile associated with printer's properties. These printer profiles comprising rules for determine when a conflict condition exists. For example, fig. 8, col. 6, lines 20-47, teaches a fault message is displayed when the "media color selected does not equal to STRINGC1". STRINGC1 is a rule that is programmed in the printer profile. Fig. 13, Cols. 7-8, Hower teaches conflict rules for programming printer profile with respect to "finishing options, such as type of paper". Fig. 13 shows typical printer finishing options availability and conflicts section of a selected printer profile.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).
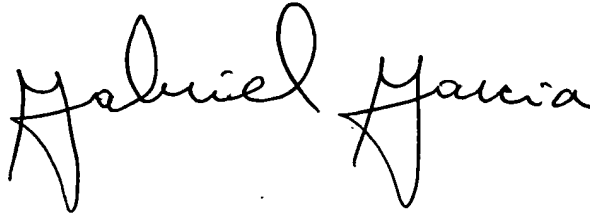
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

March 10, 2004

GABRIEL GARCIA
PRIMARY EXAMINER